



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

December 29, 2010

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To: Mayor Michael D. Antonovich
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From: William T Fujioka *William T Fujioka by Allen Sandt*
Chief Executive Officer

SACRAMENTO UPDATE

This memorandum contains a report on the start of the 2011-12 Legislative Session, pursuits of County positions on legislation to disincorporate cities with a population less than 150 people and two identical measures to extend the Vehicle License Fee increase to fund local public safety programs, and a report on legislation of County interest regarding open dependency court hearings.

Start of the 2011-12 Legislative Session

On December 6, 2010, the Legislature convened for the 2011-12 Legislative Session and immediately after the new members were sworn into office, Governor Schwarzenegger declared a fiscal emergency and called the Legislature into a Special Session to address the State Budget deficit projected at \$25.4 billion through June 30, 2012. The Governor also released a package of \$9.9 billion in proposed budget solutions consisting of \$7.4 billion in expenditure reductions and \$2.5 billion in various fund shifts and increased revenue projections.

In mid-December, the Senate and Assembly Budget Committees held informational hearings on the Governor's proposed solutions; however, no action was taken. Instead, Senate President pro Tempore Darrell Steinberg and Assembly Speaker John Pérez adjourned their respective houses until January 3, 2011, indicating that it would be more appropriate to take action on the State Budget crisis after Governor-elect Jerry Brown is sworn into office and releases his proposed State Budget on January 10, 2011.

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Governor-elect Brown has indicated that the State Budget will be his top priority and during a series of statewide briefings he noted that the State Budget deficit has now increased to \$28.0 billion. According to recent news accounts, Governor-elect Brown's proposed State Budget would include deep cuts to human services programs, university systems, and education. The proposal is also expected to include a request for voters to approve an extension of temporary increases to the Vehicle License Fee (VLF) and State Sales and Use Tax which are currently set to expire on June 30, 2011. Upon the release of Governor-elect Brown's proposed State Budget on January 10, 2011, this office will prepare an analysis with the County impact for your Board.

Pursuit of County Position on Legislation

AB 46 (J. Pérez), as introduced on December 6, 2010, would require that every city with a population of less than 150 people, as of January 1, 2010, be disincorporated into the city's respective county. The bill would require the disincorporation to take effect 90 days after the effective date of this bill, unless the county board of supervisors determines within 90 days that continuing such a city within the county's boundaries would serve a public purpose.

According to the author's office, the City of Vernon lacks an independent electorate, which creates lack of transparency and accountability in the election process and has resulted in a situation where a handful of individuals are able to use the entire city as their own personal fiefdom. The author's office also indicates that the disincorporation of the city would be complex and certain issues such as the future of Vernon's power department, its bond obligations and the fate of city's employees, including police officers and firefighters, would eventually have to be addressed by the Legislature.

On December 14, 2010, the Board of Supervisors unanimously approved a motion by Supervisor Molina to support AB 46 to allow all options to be considered for the future governance of the City of Vernon, including disincorporation or annexation to another municipality. The motion further indicates that the City of Vernon has been the subject of repeated investigations, audits, voter irregularities and criminal prosecutions of city officials. These problems, along with the absence of a true electorate to hold city officials accountable, have led the Los Angeles County District Attorney to call for the disincorporation of the city.

Therefore, based on the Board action of December 14, 2010 to support this measure, **the Sacramento Advocates will support AB 46.**

In its current form, AB 46 is a spot bill, which will be amended to address the issues identified above. There is no registered support or opposition on file. This measure has not yet been scheduled for a hearing.

AB 66 and ABX1 9 (Chesbro), as introduced on December 13, 2010, are identical urgency measures, which would extend the temporary increase in the VLF to fund local public safety programs, which is set to expire on June 30, 2011.

In February 2009, the Governor and the Legislature enacted legislation to shift funding for local public safety programs from the State General Fund to the VLF. The legislation temporarily increased the VLF by 0.65 percent and directed 0.15 percent of the increase to the Local Safety and Protection Account. The VLF public safety revenues are allocated to cities and counties to: 1) reimburse local law enforcement for booking and detention expenses; 2) support juvenile justice programs including prevention services operated by community-based agencies; 3) support specialized law enforcement task forces and training programs to suppress use of illegal drugs, sexual assaults, gang activity and technological theft; and 4) support juvenile probation services including camps. The VLF increase and authority to fund these services for cities and counties is set to expire on June 30, 2011.

The Sheriff's Department indicates that it receives VLF funding for the Citizens' Options for Public Safety, Booking Fees, California Multi-jurisdictional Methamphetamine Enforcement Team and High Technology Theft Apprehension and Prosecution Programs. The Probation Department indicates that VLF funding is critically needed to maintain the numerous programs funded by the Juvenile Justice Crime Prevention Act and the Juvenile Probation Camp Fund.

The Probation and Sheriff's Department and this office support AB 66 and ABX1 9. Therefore, consistent with existing Board policies to: 1) preserve the County's VLF revenue base; 2) support proposals to provide full funding for the Juvenile Justice Crime Prevention Act; 3) support proposals to provide funding for prevention and intervention program for youth at risk of becoming involved or who are currently involved in the juvenile justice system; and 4) support proposals to ensure that each county receives annual funding for juvenile probation services in an amount at least equal to the Federal TANF grant funds received by counties in Federal Fiscal Year 1995, **the Sacramento advocates will support AB 66 and ABX1 9.**

AB 66 and ABX1 9 are supported by the California State Association of Counties, League of California Cities, and numerous law enforcement agencies including: the California Police Chiefs Association, California State Sheriffs' Association, California Peace Officers Association, Chief Probation Officers of California, California District

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Attorneys Associations, Association for Los Angeles Deputy Sheriffs, Los Angeles County Deputy Probation Officers Union, Los Angeles County Police Chiefs Associations, among others. There is no recorded opposition on file. The measures have not been scheduled for a hearing.

Legislation of County Interest

AB 73 (Feuer), which as introduced on December 21, 2010, expresses the intent of the Legislature to enact legislation to open juvenile dependency court hearings to the public unless the court finds that admitting the public would not be in a child's best interest. AB 73 was developed by the Assembly Judiciary Committee staff, chaired by Assembly Member Mike Feuer.

In the November 2, 2010 Sacramento Update, we advised your Board that the Sacramento advocates would pursue County-sponsored legislation to establish a three-year pilot project to allow members of the public to be admitted to juvenile dependency court hearings. The pilot would allow hearings to be closed if the court determines it is in the best interest of the child who is before the court as a witness or party, and would also require that a report be submitted at the conclusion of the pilot project to the Judicial Council and the California Department of Social Services evaluating the impact of open court hearings.

As introduced, AB 73 only cites legislative intent; therefore, the bill must be amended to address specifics for open dependency court hearings. The Sacramento advocates are working with the author's office and Assembly Judiciary Committee staff to develop bill language for potential County co-sponsorship consistent with existing Board policy to pursue legislation to open juvenile court dependency hearings to the public.

We will continue to keep you advised.

WTF:RA:MR
VE:OR:RM:sb

c: All Department Heads
Legislative Strategist
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California Contract Cities Association
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